

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:06CR21
	)	
v.	)	
	)	
EDWARD CLARK,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter comes to the court's attention from a letter received by chambers on September 20, 2007, from the defendant Edward Clark. The defendant alleges that he has not been given credit for time served consistent with the court's Judgment and Commitment order dated January 8, 2007. Based on the court's review of the record, the court is concerned whether the Judgment and Commitment order is not being followed.

IT IS ORDERED that his matter is set for hearing on **October 9, 2007, at 2:00 p.m.**, Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18<sup>th</sup> Plaza, Omaha, Nebraska, at which time counsel for the defendant and the government should be prepared to address the issues raised by the defendant in the letter attached.

If the defendant wishes to participate telephonically in the hearing, his attorney must notify chambers at least 24 hours before the hearing of the telephone number and contact person at the institution which defendant is incarcerated.

DATED this 3<sup>rd</sup> day of October, 2007.

BY THE COURT:

s/Joseph F. Bataillon  
JOSEPH F. BATAILLON  
United States District Judge

To: MR. Judge Bataillon  
 From: EDward L CLark

**RECEIVED**  
 case NO. 03-066CR-21-001  
 SEP 20 2007

JOSEPH F. BATAILLON  
 U.S. DISTRICT JUDGE

Dear MR Bataillon I WAS sentenced to 51 mo. + my ATty Dave Niche ASK FOR some time served for the time I was on pretrial AND you agreed I would get time served But you couldnt give me a full year BECAUSE it would interfere with my drug program it was my understanding + my ATty's that I was to get 11 mos. OFF time served. Here is the problem with this time I could be going into the next drug program + without it it will be another 11 mo. Later + this place YANKTON S.D. will not give it unless a Judgement + commitment order is file changing my sentence to whatever credit you want me to have I would appreciate some help if you CAN, I WAS told the judgement + commitment order needs to be sent to Grand Prairie TX Please let me know if I get this please one way or another, AND also this ATty is trying to help me with a Rule 35.

THANK you  
 EDward CLark